



In the Matter of Morris Green, Sible Hedingham,
Essex (No. 2)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 485 in the Register of Common Land maintained by the Essex County Council and is occasioned by the conflicting registration at Entry No. 1 in the Land section of Register Unit No. VG 143 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Colchester on 18 March 1981. The hearing was not attended by any person entitled to be heard.

In a letter addressed to the Commons Commissioners dated 24 February 1981 and headed VG 143 and CL 485, the Sible Hedingham Parish Council stated that it "would withdraw all such applications as it may have made in respect of the above matters". In fact, the Parish Council, although the applicant for the conflicting registration, made no application in respect of the registration the subject of this dispute. This registration was made by the former Essex County Council as registration authority.

The registration in the Register of Common Land was the subject of Objection No. 80 made by Mr R A Prentice and Objection No. 457 made by Mrs H King, but it is noted in the Register that Objection No. 80 was withdrawn on 23 July 1973 and that Objection No. 457 was withdrawn on 31 July 1973. Nevertheless, the Chief Executive and Clerk of the Essex County Council sent to the solicitors who had acted for both the Objectors a letter dated 9 March 1981 stating "the County Council will not be present at the hearing to make any representations on this matter".

In these circumstances I can only assume that the County Council does not wish to have the registration confirmed, and I therefore refuse to confirm it.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

31st

day of

March

1981

Chief Commons Commissioner